

# EXHIBIT A

**Exhibit A**

DONALD D. SOMMERFELD  
TOWE, BALL, MACKEY, SOMMERFELD  
& TURNER, P.L.L.P.  
PO BOX 30457  
BILLINGS, MT 59107-0457  
(406) 248-7337  
Attorneys for Plaintiff

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT  
YELLOWSTONE COUNTY, MONTANA

CASEY BENDURE,

Plaintiff,

vs.

STAR TARGETS, JUSTIN HARDY,  
TLD INDUSTRIES LLC, and  
CABELA'S WHOLESALE, INC.

Defendants.

No. DV 14-0749

Judge: Gregory R. Todd

**SUMMONS**

THE STATE OF MONTANA SENDS GREETINGS TO THE ABOVE NAMED DEFENDANT,  
CABELA'S WHOLESALE, INC.:

You are hereby summoned to respond to the Amended Complaint in this action which is filed in the office of the Clerk of this Court, a copy of which is herewith served upon you, and to file your answer and serve a copy thereof upon the Plaintiff's attorney within 21 days after the service of this Summons, exclusive of the day of service; and in case of your failure to respond, a judgment will be taken against you by default for the relief prayed for in the Amended Complaint.

WITNESS my hand and the seal of this Court this 6 day of June, 2014.

KRISTIE BOELTER, CLERK OF COURT

(COURT SEAL)

BY James Symonds  
Deputy Clerk

DONALD D. SOMMERFELD  
TOWE, BALL, MACKEY, SOMMERFELD  
& TURNER, P.L.L.P.  
PO BOX 30457  
BILLINGS, MT 59107-0457  
(406) 248-7337  
Attorneys for Plaintiff

CLERK OF THE  
DISTRICT COURT  
KRISTIE LEE BOULTER  
2014 JUN 6 PM 3 11  
FILED  
BY \_\_\_\_\_  
DEPUTY

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT  
YELLOWSTONE COUNTY, MONTANA

CASEY BENDURE,

Plaintiff,

vs.

STAR TARGETS, JUSTIN HARDY,  
TLD INDUSTRIES LLC, and  
CABELA'S WHOLESALE, INC.

Defendants.

No. DV 14-0749

Judge: Gregory R. Todd

**AMENDED COMPLAINT**

COMES NOW the Plaintiff, CASEY BENDURE, by and through his attorney of record, Donald D. Sommerfeld, and, for his claim against the Defendants, alleges as follows:

1. Plaintiff, Casey Bendure, was, at the time of the explosion described below, a resident of Billings, Yellowstone County, Montana.
2. Defendant Star Targets supplies a product identified as Rimfire Exploding Targets, which were involved in the explosion described below.
3. Defendant Star Targets is a company doing business at 6194 Freedom Hill Way, in Herriman, Utah.
4. Defendant Justin Hardy is the owner of Star Targets.
5. Defendant TLD Industries LLC produces Rimfire Exploding Targets, which were involved in the explosion described below, exclusively for Star Targets.

1           6. Defendant TLD Industries LLC is a Limited Liability Company registered in the State of  
2 Utah. Defendant TLD Industries LLC is also located at 6194 Freedom Hill Way, in Herriman, Utah.

3           7. Defendant Cabela's Wholesale, Inc. sold the Rimfire Exploding Targets, which were  
4 involved in the explosion described below, to the Plaintiff.

5           8. Defendant Cabela's Wholesale, Inc. is a corporation registered to do business in the State of  
6 Montana.

7           9. Plaintiff Bendure was seriously injured as the result of an explosion that occurred on  
8 September 5, 2012, in Yellowstone County, Montana. Plaintiff Bendure drove to a shooting range near  
9 mile marker 17 on Hwy 87 N, commonly referred to as "17 Mile Range." After Plaintiff Bendure exited  
10 his pickup, he put on eye and ear protection, and went to a location about 5 to 7 yards from the back of his  
11 truck. Plaintiff Bendure had a package of Star Targets Rimfire Exploding Targets. Plaintiff had, on a  
12 previous occasion, used most of the Rimfire Exploding Targets in the package. On September 5, 2012, he  
13 was using up the last of the targets in the package. Plaintiff Bendure mixed the catalyst and oxidizer in  
14 the pink antistatic bag provided. He then transferred the contents to the target snap cap. As Plaintiff  
15 Bendure attempted to close the target snap cap, it exploded in his hand. The explosion severed, from his  
16 right hand, his index finger, half of his middle finger and shattered the metacarpal bone in his right  
17 thumb. His right thumb remained attached to his hand by only a small piece of skin. The explosion also  
18 caused flesh wounds and abrasions to his face, chest, hands, arms, and legs. Pieces of the target snap cap  
19 were imbedded in his lip, face and chest.  
20

21           10. Defendant TLD Industries was negligent in producing these exploding targets for Star  
22 Targets.

23           11. Defendant Star Targets was negligent in supplying these exploding targets to Cabela's  
24 Inc.

25           12. Defendant Justin Hardy is personally liable for the actions of Star Targets.

26           13. Defendant Cabela's Wholesale, Inc. was negligent in selling these exploding targets to  
27 Plaintiff Bendure.  
28

14. As a result of the negligence of Defendants, Plaintiff Bendure was seriously injured and has incurred medical expenses, hospital expenses, wage loss, and other special damages, and will suffer special damages in the future.

15. As a further result of the negligence of Defendants, Plaintiff Bendure has incurred pain, suffering, loss of enjoyment of his established course of life, and other general damages, and will suffer general damages in the future.

WHEREFORE, Plaintiff Bendure demands judgment against Defendants as follows:

1. For special damages and future special damages, in an amount yet to be determined.
2. For general damages and future general damages, in an amount yet to be determined.
3. For such other and further relief as may be deemed just and proper.

DATED this 6<sup>th</sup> day of June, 2014.

TOWE, BALL, MACKEY,  
SOMMERFELD & TURNER, P.L.L.P.

BY   
DONALD D. SOMMERFELD

**CERTIFICATE OF SERVICE**

I hereby certify that I have mailed a full and complete copy of the foregoing to the following attorneys of record at their address or addresses:

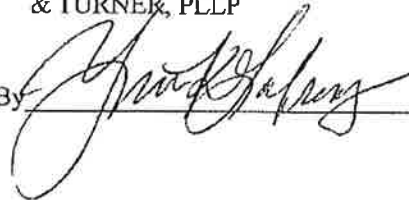
Star Targets  
6194 Freedom Hill Way  
Herriman, UT 84096

Justin Hardy  
6194 Freedom Hill Way  
Herriman, UT 84096

TLD Industries LLC  
6194 Freedom Hill Way  
Herriman, UT 84096

this 6<sup>th</sup> day of June, 2014.

TOWE, BALL, MACKEY, SOMMERFELD  
& TURNER, PLLP

BY 

# EXHIBIT B

## Exhibit B

Paul C. Collins  
Crowley Fleck PLLP  
500 Transwestern Plaza II  
490 North 31<sup>st</sup> Street  
P.O. Box 2529  
Billings, MT 59103-2529  
Telephone: (406) 252-3441  
Facsimile: (406) 259-4159

Attorneys for Defendants Star Targets,  
Justin Hardy, and TLD Industries, LLC

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA, BILLINGS DIVISION

CASEY BENDURE,

Plaintiff,

v.

STAR TARGETS, JUSTIN  
HARDY, TLD INDUSTRIES  
LLC, and CABELA'S  
WHOLESALE, INC.,

Defendants.

Case No.

CONSENT TO REMOVAL

**JURY TRIAL DEMANDED**

**CONSENT TO REMOVAL**

Defendants Star Targets, Justin Hardy, and TLD Industries, LLC, by and through their undersigned counsel, hereby consent to and join in the removal of the above-captioned action, initially filed in the Montana Thirteenth Judicial District

Court, Yellowstone County as Cause No. DV 14-0749, to this Court as filed by  
defendant Cabela's Wholesale, Inc.

Dated: July 8, 2014



---

Paul C. Collins  
Crowley Fleck PLLP  
500 Transwestern Plaza II  
490 North 31<sup>st</sup> Street  
P.O. Box 2529  
Billings, MT 59103-2529  
Telephone: (406) 252-3441  
Facsimile: (406) 259-4159

Attorneys for Defendants Star Targets,  
Justin Hardy, and TLD Industries, LLC



# EXHIBIT C

**NATIONAL REGISTERED AGENTS, INC.**

**SERVICE OF PROCESS SUMMARY TRANSMITTAL FORM**

To: Nicole Parker  
Cabela's Incorporated  
One Cabela Drive  
Sidney, NE 69160-

SOP Transmittal # **525109094**

800-592-9023 - Telephone

Entity Served: CABELA'S WHOLESALE, INC. (Domestic State: NEBRASKA)

Enclosed herewith are legal documents received on behalf of the above captioned entity by National Registered Agents, Inc. or its Affiliate in the State of MONTANA on this 09 day of June, 2014. The following is a summary of the document(s) received:

1. **Title of Action:** Casey Bendure, Pltf. vs. Star Targets, et al. including Cabela's Wholesale, Inc., Dftls.
2. **Document(s) Served:** Other: Summons/Amended Complaint/Request
3. **Court of Jurisdiction/Case Number:** Montana 13th Judicial District Court, MT  
Case # DV140749
4. **Amount Claimed, if any:** N/A
5. **Method of Service:**  
☒ Personally served by: ☒ Process Server ☐ Deputy Sheriff ☐ U. S Marshall  
☐ Delivered Via: ☐ Certified Mail ☐ Regular Mail ☐ Facsimile  
☐ Other (Explain):
6. **Date and Time of Receipt:** 06/09/2014 02:00:00 PM CST
7. **Appearance/Answer Date:** Within 21 days after service, exclusive of the day of service
8. **Received From:** Donald D. Sommerfeld  
Towe, Ball, Mackey, Sommerfeld &  
Turner, P.L.L.P.  
P.O. Box 30457  
Billings, MT 59107-0457  
406-248-7337
9. **Federal Express Airbill #** 770260295491
10. **Call Made to:** Not required
11. **Special Comments:**  
SOP Papers with Transmittal, via Fed Ex 2 Day

**NATIONAL REGISTERED AGENTS, INC.**

**Copies To:**

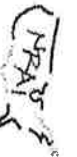
Transmitted by Amy McLaren

The information contained in this Summary Transmittal Form is provided by National Registered Agents, Inc. for informational purposes only and should not be considered a legal opinion. It is the responsibility of the parties receiving this form to review the legal documents forwarded and to take appropriate action.

ORIGINAL

DATE RECEIVED 6/13/14  
CABELA'S LEGAL DEPT.

**NRAI Packing Slip**



**NATIONAL  
REGISTERED  
AGENTS, INC.**  
AN NRAI NATIONALS COMPANY

**FedEx Tracking # :** 770260295491

**Created By :** Rashmi Narula

**Created On :** 06/10/2014 05:34 PM

**Recipient :**

<b>Nicole Parker</b>	
<b>Title :</b>	
<b>Customer :</b>	Cabela's Incorporated
<b>Address :</b>	One Cabela Drive
<b>Email :</b>	Nicole.parker@cabelas.com
<b>Phone :</b>	
<b>Fax :</b>	

**Package Type :** Envelope

**Items shipped :** 1

Log #	Case #	Entity Name
525109094	DV140749	CABELA'S WHOLESALE, INC.

DONALD D. SOMMERFELD  
TOWE, BALL, MACKEY, SOMMERFELD  
& TURNER, P.L.L.P.  
PO BOX 30457  
BILLINGS, MT 59107-0457  
(406) 248-7337  
Attorneys for Plaintiff

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT  
YELLOWSTONE COUNTY, MONTANA

CASEY BENDURE,

Plaintiff,

vs.

STAR TARGETS, JUSTIN HARDY,  
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Defendants.

No. DV 14-0749

Judge: Gregory R. Todd

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KRISTIE BOELTER, CLERK OF COURT

(COURT SEAL)

BY James Symonds  
Deputy Clerk

DONALD D. SOMMERFELD  
TOWE, BALL, MACKEY, SOMMERFELD  
& TURNER, P.L.L.P.  
PO BOX 30457  
BILLINGS, MT 59107-0457  
(406) 248-7337  
Attorneys for Plaintiff

CLERK OF THE  
DISTRICT COURT  
KRISTIE LEE BOULTER  
2014 JUN 6 PM 3 11  
FILED  
BY \_\_\_\_\_  
DEPUTY

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT  
YELLOWSTONE COUNTY, MONTANA

CASEY BENDURE,

Plaintiff,

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1. For special damages and future special damages, in an amount yet to be determined.
2. For general damages and future general damages, in an amount yet to be determined.
3. For such other and further relief as may be deemed just and proper.

DATED this 6<sup>th</sup> day of June, 2014.

TOWE, BALL, MACKEY,  
SOMMERFELD & TURNER, P.L.L.P.

BY   
DONALD D. SOMMERFELD

**CERTIFICATE OF SERVICE**

I hereby certify that I have mailed a full and complete copy of the foregoing to the following attorneys of record at their address or addresses:

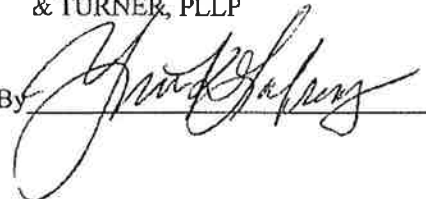
Star Targets  
6194 Freedom Hill Way  
Herriman, UT 84096

Justin Hardy  
6194 Freedom Hill Way  
Herriman, UT 84096

TLD Industries LLC  
6194 Freedom Hill Way  
Herriman, UT 84096

this 6<sup>th</sup> day of June, 2014.

TOWE, BALL, MACKEY, SOMMERFELD  
& TURNER, PLLP

BY 

DONALD D. SOMMERFELD  
TOWE, BALL, MACKEY, SOMMERFELD  
& TURNER, P.L.L.P.  
PO BOX 30457  
BILLINGS, MT 59107-0457  
(406) 248-7337  
Attorneys for Plaintiff

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT  
YELLOWSTONE COUNTY, MONTANA

CASEY BENDURE,

Plaintiff,

vs.

STAR TARGETS, JUSTIN HARDY,  
TLD INDUSTRIES LLC, and  
CABELA'S WHOLESALE, INC.

Defendants.

No. DV 14-0749

Judge: Gregory R. Todd

**PLAINTIFF'S FIRST DISCOVERY REQUESTS  
TO CABELA'S WHOLESALE, INC.**

TO: Defendant CABELA'S WHOLESALE, INC.

Pursuant to Rule 33 of the Montana Rules of Civil Procedure, Plaintiff requests that Defendant answer, under oath, the following Interrogatories within forty-five (45) days from the time of service is made upon you.

NOTE A: In answering these interrogatories, you are required not only to furnish such information as you know of your own personal knowledge but also information available to you, including, but not limited to, information which is in the possession of your attorney, agent, representative, investigator or anyone else acting for or on behalf of the Defendant.

NOTE B: These interrogatories shall be deemed continuing, and supplemental answers shall be required to be filed promptly if you, directly or indirectly, obtain further information of the nature sought herein between the time answers are served and time of trial.

NOTE C: Please be advised that the term Defendant, and also the word "you," its plural, or any synonym thereof, whenever used in these interrogatories, is intended to and shall embrace and include, in addition to the main party or parties, counsel for said party, and all agents, servants, employees, representatives, investigators, or anyone else acting on behalf of the Defendant, or who has acted for or on behalf of the Defendant, who are in possession of, or may have obtained



1 information for or on behalf of, Defendant.

2 NOTE D: If you cannot answer these interrogatories in full after exercising due diligence  
3 to secure such information, please so state, and answer to the extent possible, specifying your  
4 inability to answer the remainder, and stating whatever information or knowledge you have  
5 concerning the unanswered portions.

6 Pursuant to Rule 34 of the Montana Rules of Civil Procedure, Plaintiff requests that  
7 Defendant and its counsel produce and permit Plaintiff's counsel to inspect and copy the following  
8 designated documents and tangible things at the office of Towe, Ball, Mackey, Sommerfeld &  
9 Turner, P.L.L.P., 2525 Sixth Avenue North, Billings, Montana, between the hours of 9:00 o'clock  
10 a.m. and 5:00 o'clock p.m., on any regular business day in forty-five (45) days after service of this  
11 Request. Compliance may alternatively be made by delivery to the undersigned of complete and  
12 legible photocopies of such documents or things within the same time period.

13 NOTE A: As used herein, the term "document" includes any physical thing upon which,  
14 or by which, data or information is stored, recorded, or otherwise kept, and from which such data or  
15 information can be perceived or retrieved in any manner, whether visually, auditorially, by  
16 electromagnetic, or mechanical means, or any combination thereof; and includes, but is not limited  
17 to: written, printed, typed or other impressions upon paper or any similar product; film; magnetic  
18 recording; electronic storage; photo-chemical or photo-electronic media or reproduction.

19 NOTE B: If compliance with these requests is made by photocopying, the entire contents  
20 of every item should be reproduced, including the backside thereof, or any file jackets, if any  
21 information or data is contained thereon.

22 \*\*\*\*\*

23 DISCOVERY REQUEST NO. 1 (Interrogatory): Please state the name, telephone  
24 number and address of each and every person known to you to have knowledge of any relevant facts  
25 pertaining to this action.

26 ANSWER:

27 DISCOVERY REQUEST NO. 2 (Interrogatory): Please summarize the relevant facts  
28 known by each person listed in your Answer to Discovery Request No. 1.

ANSWER:

DISCOVERY REQUEST NO. 3 (Interrogatory): If you, or anyone on your behalf, ever

1 took or obtained a statement, whether oral or in writing, from anyone regarding the facts pertaining  
2 to this action, please state the name, telephone number and address of each and every person from  
3 whom a statement was obtained, the date and place where each such statement was taken, and the  
4 substance and content of each such statement.

5 ANSWER:

7 DISCOVERY REQUEST NO. 4 (Request for Production): Please produce both a copy of  
8 the audiotapes and a copy of the transcriptions of all recorded statements, and a copy of all written  
9 statements, taken or obtained, which in any way relate to the facts pertaining to this action.

10 RESPONSE:

12 DISCOVERY REQUEST NO. 5 (Interrogatory): If you, or anyone on your behalf, ever  
13 made or gave a statement, whether oral or in writing, to anyone regarding the facts pertaining to this  
14 action, state the name, telephone number and address of each and every person to whom a statement  
15 was given, the date and place where each such statement was taken, and the substance and content  
16 of each such statement.

17 ANSWER:

19 DISCOVERY REQUEST NO. 6 (Request for Production): Please produce both a copy of  
20 the audiotapes and a copy of the transcriptions of all recorded statements, and a copy of all written  
21 statements, made or given, which in any way relate to the facts pertaining to this action.

22 RESPONSE:

24 DISCOVERY REQUEST NO. 7 (Request for Production): Please produce, and describe  
25 reprints of all photographs which relate to the scene, the events, and the damages in this action.

26 RESPONSE:

1           DISCOVERY REQUEST NO. 8 (Request for Production): Please produce a copy of all  
2 policies of insurance, along with the declaration pages which apply to each of those policies, by or  
3 through which you were or may have been insured or covered in any manner or to any extent with  
4 primary or excess coverage, with respect to any of the claims, causes of action, injuries or damages  
5 alleged by Plaintiff against you.

6           RESPONSE:

7  
8           DISCOVERY REQUEST NO. 9 (Interrogatory): Please describe in detail any  
9 conversations you contend you had with Plaintiff following the incident in question.

10          ANSWER:

11  
12          DISCOVERY REQUEST NO. 10 (Request for Production): Please produce a copy of all  
13 reports, diaries, notes or memos made by you in any form whatsoever, regarding events or  
14 happenings of the incident in question.

15          RESPONSE:

16  
17          DISCOVERY REQUEST NO. 11 (Interrogatory): If an investigation has been made on  
18 any of the claims set forth in Plaintiff's Complaint, please identify the date such investigation was  
19 commenced, the names, telephone numbers, occupations/titles of the persons who conducted the  
20 investigations, and the results of the investigation.

21          ANSWER:

22  
23  
24          DISCOVERY REQUEST NO. 12 (Request for Production): Please produce a copy of  
25 any and all reports generated as the result of investigations made by you or on your behalf regarding  
26 any of the claims set forth in Plaintiff's Complaint.

27          RESPONSE:

1           DISCOVERY REQUEST NO. 13 (Interrogatory): Please state the name, telephone  
2 number and address of each and every person you intend to call as a non-expert witness at the trial  
3 of this action and describe in detail the subject matter on which each such non-expert is expected to  
4 testify.

5           ANSWER:

6  
7  
8           DISCOVERY REQUEST NO. 14 (Interrogatory): Identify each person you expect to call  
9 as an expert witness at trial or who has been retained or specially employed in anticipation of  
10 litigation or preparation of trial of this action and who may or may not be used at trial. For each  
11 such person, please state the following:

- 12           a. Name, address and telephone number;  
13           b. The subject matter on which the expert is expected to testify;  
14           c. The substance of the facts and opinions to which the expert is expected to testify; and  
15           d. A summary of the grounds for each opinion held by the expert.

16           ANSWER:

17  
18           DISCOVERY REQUEST NO. 15 (Request for Production): Produce copies of all  
19 writings, documents or memoranda showing any opinions or findings relating to this action of all  
20 experts identified by you.

21           RESPONSE:

22  
23           DISCOVERY REQUEST NO. 16 (Interrogatory): Please describe in detail each and  
24 every incident, other than this one, where an injury has occurred while using Star Targets Rimfire  
25 Exploding Targets or a similar product which you sell. In addition to describing the incident, please  
26 state your response and the disposition to each incident.

27           ANSWER:

1            DISCOVERY REQUEST NO. 17 (Request for Production): Please produce a copy of  
2 each document which relates to, reflects or in any way describes each incident identified in the  
3 preceding Discovery Request.

4            RESPONSE:

5  
6            DISCOVERY REQUEST NO. 18 (Interrogatory): Please state the name, telephone  
7 number and address of each and every person answering or contributing information to your answer  
8 to the discovery requests set forth above, including their occupation and title.

9            ANSWER:

10  
11           DISCOVERY REQUEST NO. 19 (Request for Production): Please produce a copy of  
12 every document that relates, in any way, to this action.

13           RESPONSE:

14           DATED this 6<sup>th</sup> day of June, 2014.

15  
16           TOWE, BALL, MACKEY,  
17           SOMMERFELD & TURNER, P.L.L.P.

18           BY   
19           DONALD D. SOMMERFELD  
20  
21  
22  
23  
24  
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26  
27  
28



For their answer to Plaintiff's complaint, Defendants Star Targets (which is improperly designated), TLD Industries, LLC, and Justin Hardy (collectively, "Defendants") state as follows:

1. Defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 1.
2. In response to paragraph 2, Defendants state that Star Targets is a brand of product and not a business entity. Defendants lack knowledge or information sufficient to form a belief as to the truth of the remaining allegations.
3. For the reason stated in the preceding paragraph, Defendants deny the allegation in paragraph 3.
4. For the reason stated in paragraph 2, Defendants deny the allegation in paragraph 4.
5. Defendants deny the allegations in paragraph 5.
6. Defendants admit the allegations in paragraph 7.
7. Defendants lack knowledge and information sufficient to form a belief as to the allegations in paragraph 7.
8. Defendants lack knowledge or information sufficient to form a belief as to the allegations in paragraph 8.

9. Defendants lack knowledge or information sufficient to form a belief as to the allegations in paragraph 9.
10. Defendants deny the allegations in paragraph 10.
11. Defendants deny the allegations in paragraph 11.
12. Defendants deny the allegations in paragraph 12.
13. In response to paragraph 13, Defendants do not know if Plaintiff bought Star Targets Rimfire Exploding targets from Cabela's Wholesale, Inc., but if he did, Defendants deny that there was any negligence on the part of Cabela's.
14. Defendants deny the allegations in paragraph 14.
15. Defendants deny the allegations in paragraph 15.

#### **FIRST AFFIRMATIVE DEFENSE**

Any recovery by Plaintiff must be reduced or barred according to the principles of comparative fault. If Plaintiff was injured by a Rimfire Exploding Target, then the most likely cause was Plaintiff's own negligence, which should act to reduce or bar his recovery.

#### **SECOND AFFIRMATIVE DEFENSE**

Plaintiff is not entitled to recover to the extent he unreasonably misused the product involved in this case.



### **THIRD AFFIRMATIVE DEFENSE**

Plaintiff is not entitled to recover to the extent that he failed to mitigate his damages.

### **FOURTH AFFIRMATIVE DEFENSE**

Defendants assert credit against any verdict for any other sources of payment made to Plaintiff to the extent permitted by Montana law.

### **THIRD-PARTY COMPLAINT**

Third-party plaintiff TLD Industries, LLC ("TLD") is a Utah limited liability company.

1. Third-party defendant MacCraft USA is, upon information and belief, a company with its primary place of business in New Mexico. It purchases Rimfire Exploding Targets from third-party defendant Rolling Thunder Pyrotechnic Corp. and sells them to TLD.
2. Third-party defendant Rolling Thunder Pyrotechnic Corp. is, upon information and belief, a Wisconsin corporation.
3. TLD did not alter the Rimfire Exploding Targets before selling them to Cabela's, but only put them into a box with the Star Targets brand.
4. Pursuant to Mont. Code Ann. § 27-1-703 and other statutory and common law of Montana, if TLD has liability to Plaintiff, then MacCraft USA and Rolling Thunder Pyrotechnic Corp. are responsible for some or all of that liability.

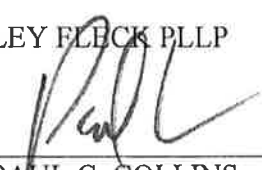
**JURY DEMAND**

TLD requests a jury of 12 people plus alternates on all issues so triable.

Dated this 19th day of June, 2014.

CROWLEY FLECK PLLP

By

  
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PAUL C. COLLINS

Attorneys for Defendants Star Targets,  
Justin Hardy, and TLD Industries, LLC

**CERTIFICATE OF SERVICE**

I, Paul C. Collins, one of the attorneys for the law firm of Crowley Fleck PLLP, hereby certify that on the 19th day of June, 2014, I mailed a true and correct copy of the foregoing document, postage prepaid, to the following:

- ☒ U.S. Mail
- ☐ FedEx
- ☐ Hand-Delivery
- ☐ Facsimile
- ☐ Email
- ☐ ECF Electronic filing

Donald D. Sommerfeld  
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Billings, MT 59107-0457

  
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